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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/540,441	02/27/2006	Martin Roter	915-006.88	1416

4955 7590 03/16/2010
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EXAMINER

DOAN, PHUOC HUU

ART UNIT	PAPER NUMBER
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2617

MAIL DATE	DELIVERY MODE
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03/16/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/540,441

Applicant(s)

ROTER ET AL.

Examiner

PHUOC DOAN

Art Unit

2617

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 16-30 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 18-22 is/are allowed.
- 6) ☒ Claim(s) 16 and 17 is/are rejected.
- 7) ☒ Claim(s) 23-30 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SI/200)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____
- Paper No(s)/Mail Date ____

DETAILED ACTION

Claim Objections

Claim 23 is objected to because of the following informalities: in line 4, 6 with “by: -”, and wording in line 8 “en- able” they need to minor correct. Appropriate correction is required.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Littig (US Patent No: 5,524,276)** in view of **Yasaki (US Pub No: 2002/0194299)**.

As to claim 16, Littig discloses a communication system comprising first and second communication devices (Fig. 4, items 401, 403) each capable of communicating with a telecommunications network (Fig. 1, cellular telephone exchange 113), and both being connectable to each other by a data link for information transfer (col. 2 lines 60 through 7 “two unit

devices with two way communication through a cellular telephone exchange 113”), wherein the first communication device contains individual information (col. 4, lines 39-51 “contains in its memory the ESN, NAM, repertory directory”), and the second communication device comprises a special memory area for storing individual information acquired from the first communication device as well as comparator means for comparing the individual information contained in the first communication device with that stored in the special memory area of the second communication device (col. 4, lines 39-67 “for transferring information between two devices and also contain or compared from the first device to store on the second device”). However, Littig unclearly shows the special memory area comprises at least two separate portions for storing individual information of different first communication devices separately.

But Yasaki clearly discloses the special memory area comprises at least two separate portions for storing individual information of different first communication devices separately (par [0233] “the individual information storage in a portion of the memory 15, and stored within each record area are data for authentication of that specific users”). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the special memory area comprises at least

two separate portions for storing individual information of different first communication devices separately as taught by Yasaki to the system of Littig in order to easy to manage specific information locate.

As to claim 17, claim is rejected for the same reasons as set forth in claim 1.

Allowable Subject Matter

2. **Claims 18-22** are allowed.

As to claim 18, the prior art of record either alone or combination do not discloses a method for operating a communication system comprising first and second communication devices each capable of communicating with a telecommunications network, and both being connectable to each other by a data link for information transfer, in particular for operating a communication system according to any one of the preceding claims, characterized by: storing individual information acquired from the first communication device in the second communication device so that the individual information from the first communication device is directly accessible by the second communication device when the first and the second communication devices are connected to each other by the data link at the very first time, or comparing the individual information from the first

communication device stored in the second communication device with the individual information in the first communication device when the first communication device is connected again to the second communication device, and storing only changes of the individual information of the first communication device in the second communication device.

3. **Claims 23-30** are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PHUOC DOAN whose telephone number is (571)272-7920. The examiner can normally be reached on 10:00AM to 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, LESTER KINCAID can be reached on 571-272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/PHUOC DOAN/
Examiner, Art Unit 2617